



PATENT
ATTORNEY DOCKET NO. 44921-5029-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **William E. Munger *et al.***

Application No.: **09/960,706**

Filed: **September 24, 2001**

For: **Identifying Drugs for and Diagnosis of
Benign Prostatic Hyperplasia Using Gene
Expression Profiles**

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) Group Art Unit: 1631
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) Examiner: Marjorie A. Moran
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Commissioner of Patents and Trademarks
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RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. 121

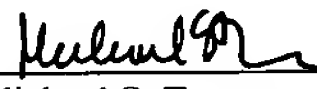
Sir:

In response to the Restriction Requirement dated July 16, 2003 (Paper No. 10), the period for response to which is extended to October 16, 2003 by the accompanying petition for a two-month extension of time, Applicants hereby elect Group VI, claims 32-38 and 53, which are drawn to a computer system comprising gene expression data, classified in class 700, subclass 90, with traverse.

Except for issues payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **October 15, 2003**
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202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP



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